IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

Bail Appl..No. 3279 of 2007()

CC.252/2006 of J.M.F.C.-III,PALAKKAD

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: PETITIONERS/ACCUSED

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1. PRADEEP KUMAR, (MLA),
   S/O.GOPALAKRISHNAN, MANGALAM VEEDU,
   NADAKKAVE, KOZHIKODE.

2. K.D.PRESENAN, S/O.DEVADAS, KAVASSERY,
   ALATHUR.

3. M.B.RAJESH, S/O.BALAKRISHNAN, SHORNUR,
   PALAKKAD.

4. MOHANRAJ, S/O.MADHAVAN, MANKARA,
   OTTUPULAIKAL, PALAKKAD.

5. T.R.RAJESH, S/O.RAJENDRAN, KALLEKKAD,
   PALAKKAD.

6. RATHEESH, S/O.SETHUMADHAVAN, KALPATHI,
   PALAKKAD.

7. UDHAYAKUMAR, S/O.RAJU, KALMANDAPAM,
   PALAKKAD.

8. HARIDAS, S/O.KUPPANKUTTY, ENNAPPADAM,
   ALATHUR, PALAKKAD.

9. RAJESH, S/O.RAGHAVAN, SEKHAREEPURAM,
   PALAKKAD.

10. SURESH, S/O.KASU AKATHETHARA,
    MALAMPUZHA, PALAKKAD.

11. AJITH, S/O.GOPINATHAN, KONGAD,
    MUNDOOR, PALAKKAD.

12. NITHIN KANICHERI, S/O.RASHEED KANICHERI,
    KADAMKODE, PALAKKAD.

13. SURESH, S/O.VASU MURUKANI,
    VADAKKANTHARA, PALAKKAD.

14. SOMASUNDARAM, S/O.ANNAMALA, KODUMBU, PALAKKAD.

15. KRISHNAPRASAD, S/O.GOPALAN, KODUVAYOOR, PALAKKAD.

16. BIJU, S/O.RAMACHANDRAN, A.K.G.NAGAR, YAKKARA, PALAKAD.

17. SAMEERKHAN, S/O.MAJEED, A.K.G.NAGAR, COLONY, KALMANDAPAM, PALAKKAD.

18. UDHAYAKUMAR, S/O.SUBRAMANIAN, CHENDAMKADU, KUZHALMANNAM, PALAKKAD.

19. ANIL, S/O.PARAMESWARAN, PUTHIYAPALAM, OLAVAKKODE, PALAKKAD.

20. JOSE, CHOKKANATHAPURAM, VALIYAPADAM.

21. SUNILKUMAR, S/O.VASU, SEKHAREEPURAM, PALAKKAD.

22. MURUKADAS, S/O.GOPALAN, NOORANI, PALAKKAD.

BY ADV. SRI.K.ANAND

RESPONDENTS: STATE AND COMPLAINANT
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1. STATE OF KERALA, REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE, TOWN SOUTH POLICE STATION, PALAKKAD.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3279/2007

DATED: 4-6-2007

O R D E R

Petitioners who are accused Nos. 1 to 22 in C.C.No.252/2006 of J.F.C.M-III, Palakkad, for offences punishable under Sections 143, 147, 283 and 186 IPC read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioners in C.C. No.252/2006 on the file of the J.F.C.M-III, Palakkad, non-bailable warrants of arrest are pending against the petitioners. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file applications for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which such applications are filed after considering the explanation offered by the petitioners for their previous non-appearance bearing in mind the fact that all the offences are bailable offences.

With the above observation, this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs